## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

	CLERK'S OFFICE U.S. DIST. COURT AT ROANOKE, VA FILED
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JOHN F. CORCORAN, CLERK BY:

JEROME J. WEST BEY, Petitioner,	) Civil Action No. 7:07-cv-00567	
v.	)   <u>FINAL ORDER</u>	
R. C. MATHENA, Respondent.	) By: Hon. James C. Turk ) Senior United States District Judge	

In accordance with the written memorandum opinion entered this day, it is hereby

## ADJUDGED AND ORDERED

that the motion to dismiss is **GRANTED**, this petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED** as untimely, and that this action is stricken from the active docket of this court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the petitioner and to counsel of record for the respondent.

ENTER: This 29th day of Februar, 2008.